

Official Record

Requested By
HIGH DESERT ENGINEERING

Elko County - NV

D. Mike Smales - Recorder

Page 1 of 6 Fee: \$19.00
Recorded By: ST RPTT:

#668130*

Upon recording mail copy to:
State Engineer's Office
901 S. Stewart Street, Suite 2002
Carson City, NV 89701

OFFICE OF THE NEVADA STATE ENGINEER

Regarding Permit No. 41509 Certificate Number _____

Ret

This space reserved for
county recorder's use only

AFFIDAVIT TO RELINQUISH WATER RIGHTS IN FAVOR OF USE OF WATER FOR DOMESTIC WELLS

State of Nevada)

: ss

County of Elko)I, Kenneth R. Gearhart, Managing Member

do hereby swear under penalty of perjury that the assertions of this affidavit are true.

1. I am the ☐ owner of record☒ agent for the owner of record who is Rock Hound Investments, LLC

of ☐ all ☒ a portion of Permit 41509 as indicated in the records of the
check one permit/certificate no. or decreed right

Nevada State Engineer.

2. I hereby relinquish an amount of water equivalent to:

6.0 afa

enter a total amount of water equal to the sum of 2.0 afa for each proposed new domestic well
acre-feet annually from the above water right.

The water right or portion of water right relinquished was appurtenant to the land more particularly
described as follows:

NW1/4 NW1/4 and portions of the NE1/4 NW1/4 of Section 30, T.33 N., R.57 E., M.D.B. & M.
APN: 006-52C-002 (Assessor's plat map attached for reference)

describe the place of use by quarter sections, section, township, range M.D.B. & M. and assessor's parcel number

THE PROCESSING CHARGE OF \$250 MUST ACCOMPANY THIS AFFIDAVIT



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3. This relinquishment of water rights is for the purpose of offsetting the water withdrawn from domestic wells to homes, or for the dedication of water to newly created lots located at the place described below and reflected on the attached map: *(Describe place where water will be used with quarter sections, section, township, range, M.D.B. & M. and assessor's parcel numbers)*
- Portions of the N1/2 NE1/4, NE1/4 NW1/4 of Section 29, T.34 N., R.56 E., M.D.B. & M. being Parcels 1, 2, 3, & 4 as shown on the attached parcel map being existing APN: 006-31E-034 (Assessor's plat map attached for reference)
4. I have attached a reduced, scaled, 8 1/2 X 11" copy of the tentative parcel map. The original tentative parcel map must be prepared to the standards of NRS 278.466.
5. I understand that this relinquishment must be approved by the Nevada State Engineer in order for it to become effective.
6. I am aware that, under NRS 534.350, a county may dedicate and relinquish sufficient water rights to offset water withdrawals from domestic wells of new homes. Water rights so relinquished revert to the source of the water. Should these homes later be added to a public water system, the public water system is entitled to receive a credit in the same manner as the addition of any other customer to the public water system pursuant to NRS 534.350.
7. I understand this relinquishment shall become effective upon the date of approval by the State Engineer. The affiant may petition the State Engineer to void this relinquishment if the final subdivision or parcel map is not recorded within 18 months after this approval. If a petition to void this relinquishment is not submitted to the State Engineer within the 18 month period, the water remains permanently reverted to the source.
8. I understand once these water rights are relinquished by recordation of a final subdivision map in the office of the county recorder of the county wherein the domestic wells are to be located, as provided in NRS 278.380 (2001), or in the case of a final parcel map as provided in NRS 278.4725 (2003), the process cannot be reversed nor can I claim said right as a water right.



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9. Within 30 days of approval of this relinquishment by the State Engineer, I shall record this Affidavit in the office of the county recorder of the county in which the final subdivision or parcel map is recorded. I shall also record this Affidavit in the office of the county recorder of the county in which the previous place of use was located, if it is not the same county.

10. I shall provide the State Engineer's Office with a copy of this recorded Affidavit within thirty (30) days of its recording with the county recorder.

DATED: This 7th day of January, 20 13.


Affiant's Signature

Kenneth R. Gearhart

Affiant's printed name

555 Spring Valley Court #5A

Street Address

Spring Creek, NV 89801

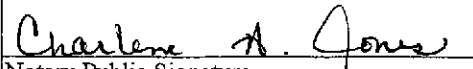
City, State, ZIP

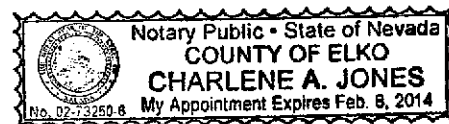
775-691-1519

Telephone Number

Subscribed and sworn to before me

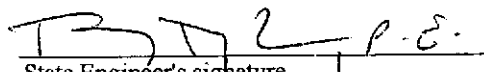
this 7th day of January, 20 13.


Notary Public Signature



Notary Stamp

APPROVED: This 29th day of JAN, 20 13.


State Engineer's signature

Tracy Taylor
Print State Engineer's name

RECEIVED
2013 JAN 9 PM 1:54
STATE ENGINEERS OFFICE

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